

Message Text

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ACTION EA-09

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UNCLAS TAIPEI 6309

E.O. 11652: N/A

TAGS: BDIS, TW

SUBJECT: TRADE COMPLAINT: APEX ENTERPRISE COMPANY LTD.,
24, 4TH FLOOR, JEN AI ROAD, SEC. 1, TAIPEI V.S.
ACVEM CORPORATION, SUITE 2406/60 EAST 42ND ST.,
NEW YORK 10017

THE CENTRAL TRUST OF CHINA (CTC), THE REPUBLIC OF CHINA'S GOVERNMENT PROCUREMENT AGENCY, HAS ASKED OUR ASSISTANCE IN RESOLVING THE SUBJECT TRADE COMPLAINT. CTC SIGNED A CONTRACT (NO. 75-GF4-1563) WITH APEX ENTERPRISE FOR THE PROCUREMENT OF 18,000 METERS OF TUBING FOR THE GOVERNMENT-OWNED CHINESE PETROLEUM CORPORATION INDICATING ACVEM CORP. OF NEW YORK AS SUPPLIER, AND THE YOUNGSTOWN SHEET AND TUBE CORP., 7650 MARKET STREET, YOUNGSTOWN, OHIO 44501 AS THE MANUFACTURER. THE SHIPMENT WAS MADE NOVEMBER 18, 1975. UPON TAKING DELIVERY, THE PIPES WERE FOUND TO BE DEFECTIVE, I.E. USED. CTC HAS FILED A CLAIM AGAINST APEX, WITH WHOM IT HAD THE CONTRACT, AND REQUESTED ACVEM IN A LETTER OF JUNE 12, 1976 TO REPLACE THE DEFECTIVE TUBING OR REFUND THE PAYMENT IN THE AMOUNT OF \$331,950. CTC ALSO WROTE YOUNGSTOWN ON MAY 14, 1976 TO SEE IF THEY IN FACT SHIPPED TUBING TO ACVEM DURING THE PERIOD OCTOBER-DECEMBER 1975. THEY HAVE NOT RECEIVED REPLIES FROM EITHER ACVEM OR YOUNGSTOWN. APEX HAS ALSO ASKED OUR ASSISTANCE IN OBTAINING A SETTLEMENT FROM ACVEM.

AS THE CENTRAL TRUST OF CHINA, AS WELL AS THE CHINESE PETROLEUM CORPORATION ARE BOTH IMPORTANT CUSTOMERS OF THE

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UNITED STATES, WE WOULD APPRECIATE THE DEPARTMENT'S ASSIST-

ANCE IN HELPING RESOLVE THE SUBJECT DISPUTE. WHILE CTC
HAS GIVEN THE EMBASSY COPIES OF THE RELEVANT DOCUMENTS,
INCLUDING THE REPORT OF A SURVEY CONDUCTED BY THE CHINA
SURVEY CO. OF THIS SHIPMENT FOR THE MOMENT WE WOULD APPRECIATE
ASSISTANCE IN FINDING OUT THE STATUS OF ACVEM'S AND YOUNG-
STOWN REPLIES TO CTC, AND WHAT THEIR INTENTIONS MAY BE
REGARDING THE SETTLEMENT OF THIS COMPLAINT.
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